

REMARKS/ARGUMENTS

Applicants would like to thank the Examiner for the careful consideration given the present application. The application has been carefully reviewed in light of the Office action, and amended as necessary to more clearly and particularly describe the subject matter which applicants regard as the invention.

With regard to the rejection of claim 1-3, and 6 under the second paragraph of 35 U.S.C. §112, applicants respectfully submit that the subject matter of those claims is consistent with the teachings in the specification. The Office action explains that evidence of the inconsistency between the claims and the invention can be found in Paper No. 9 filed October 25, 2000. However, this Amendment is in response to Paper No. 4, precluding the possibility that Paper No. 9 exists. Further, no reference can be found in the application, which was filed on October 25, 2000, that the rib is underneath the shielding case. Instead, the rib is set forth in the claims and the specification as being disposed upright on the shielding case. It is explained in the Office action that Figure 3C illustrates an embodiment of the present invention comprising a rib that is actually underneath the shielding case. However, applicants point out that Figures 1B, 1C, 3A and 3C each illustrate the present invention in an inverted or face-down orientation. By inverting these Figures about a horizontal axis such that they are illustrated in a customary or face-up orientation, the rib is illustrated as being disposed upright on the shielding case as claimed in claims 1-3, and 6. So the rib is truly considered to be "upright", extending from the shielding case generally toward a front surface of the wireless communication terminal apparatus in which the keybutton illumination device is to be installed. Thus, applicants respectfully submit that claims 1-3, and 6 properly set forth the subject matter which the applicants regard as their invention.

With regard to the objection to the drawings for failing to show "plating (mirror finish) 25" as described in the specification, applicants propose amending Figures 3A, 3B, and 3C to include the identification numeral "25" as shown in red ink in the enclosed copies to identify plating. The

Examiner's approval of the proposed drawing change is requested.

With regard to the rejection of claim 1 under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 5,664,667 to Kenmochi, applicants respectfully submit that Kenmochi fails to teach every feature of the present invention. Kenmochi fails to teach a rib provided with metal surface treatment, as claimed in amended claim 1. The spacer of Kenmochi cited in the Office action as the rib of the present invention is described as an insulating resin sheet made of PET film. Col. 5, ln. 54-55. Kenmochi is silent on the insulating resin sheet including metal treatment. In contrast, the rib in claim 1 includes a metal surface treatment such as metal plating, to reflect light emitted from the light emitting element. Accordingly, applicants respectfully submit that claim 1 is not anticipated by Kenmochi.

With regard to the rejection of claim 2 under 35 U.S.C. §102(b) as being anticipated by Kenmochi, applicants respectfully submit that Kenmochi fails to teach every feature of the present invention. Kenmochi fails to teach a rib surrounding a light emitting element, the rib being "provided upright on said shielding case in such manner that a surface that contacts said printed circuit board in a full and tight adherence", as claimed in claim 2. The insulating resin sheet spacer as shown in Figures 5 and 8 of Kenmochi is not provided upright on a shielding case in such a manner to contact the printed circuit board in full and tight adherence. According to Kenmochi, the insulating resin sheet spacer is provided below the bottom surface of the flat sheet portions, referred to in the Office action as a shielding case. Col. 5, ln. 3-6. Thus, the insulating resin sheet spacer is not provided on a shielding case. Further, by inverting the Kenmochi device and allowing gravity to establish contact between the insulating resin sheet spacer and the shielding case, contact between the insulating resin sheet spacer and the printed circuit board is lost. Accordingly, applicants respectfully submit that claim 2 is not anticipated by Kenmochi.

With regard to the rejection of claim 3 under 35 U.S.C. §102(b) as being anticipated by Kenmochi, applicants respectfully submit that Kenmochi fails to teach every feature of the present

invention. Kenmochi fails to teach a rib provided upright on a shielding case so as to surround a light emitting element in an approximately oval shape as claimed in claim 3. It is alleged in the Office action that the shape of the insulating resin sheet spacer can be any shape as long as it covers the area between conductive material and printed circuit board. However, Kenmochi fails to teach any particular shape of the insulating resin sheet spacer, much less an oval shape, because the insulating resin sheet spacer is designed merely to insulate, not to prevent light from the light emitting element from reaching circuit components. The rib according to claim 3 completely surrounds the light emitting element in a generally oval shape, thereby preventing the emittance of light to surrounding portions of the device. Accordingly, applicants respectfully submit that claim 3 is not anticipated by Kenmochi.

With regard to the rejection of claim 4 under 35 U.S.C. §102(b) as being anticipated by Kenmochi, applicants respectfully submit that Kenmochi fails to teach every feature of the present invention. Kenmochi fails to teach a keybutton for communicating with contact patterns that are print-wired on both sides of a light emitting element, as claimed in claim 4. Figure 5 of Kenmochi discloses light emitting elements provided at opposite sides of a keybutton assembly. A print-wire contact pattern is provided to the printed circuit board at a location between the two light emitting elements. This is the opposite of the arrangement of the present invention where a light emitting element is provided between two printed circuit patterns.

Further with regard to the rejection of claim 4 under 35 U.S.C. §102(b) as being anticipated by Kenmochi, applicants respectfully submit that Kenmochi also fails to teach a shielding case for holding a skirt part of a keybutton, the shielding case being disposed upright on said printed circuit board in such a manner as to surround said light emitting element and the contact patterns, as claimed in claim 4. The structure supporting the skirt portion of a keybutton in Kenmochi does not surround the light emitting element *and* the contact patterns. Instead, according to Kenmochi, that structure forms a plastic dome sheet that covers the contact patterns.

With regard to the rejection of claim 6 under 35 U.S.C. §102(b) as being anticipated by Kenmochi, applicants respectfully submit that Kenmochi fails to teach every feature of the present invention. Kenmochi fails to teach a wireless communication terminal apparatus with a keybutton illumination device comprising a light emitting element surrounded entirely by a rib portion of the shield case that is disposed upright on said shielding case, as claimed in amended claim 6. The structure referred to as the rib in the Office action does not form a portion of the shielding case of Kenmochi, and is instead, a separate entity. In contrast, the rib portion according to claim 6 of the present invention is part of the shielding case that is disposed upright to entirely surround the light emitting element.

Further with regard to the rejection of claim 6 under 35 U.S.C. §102(b) as being anticipated by Kenmochi, applicants respectfully submit that Kenmochi also fails to teach a rib portion of the shield case that is provided with a metal surface treatment, as claimed in amended claim 6. The metal surface treatment of Kenmochi is provided to the surface of the shielding case instead of to a rib portion. Accordingly, applicants respectfully submit that claim 6, as amended, is not anticipated by Kenmochi.

With regard to the rejection of claim 7 under 35 U.S.C. §103(a) as being unpatentable over Kenmochi in view of U.S. Patent No. 5,740,543 to Maeda, applicants respectfully submit that the combination fails to teach every feature of the present invention. The combination fails to teach a keybutton that is operated where there is a need for a voice memo operation for recording the contents of present vocal communication, as claimed in claim 7. Maeda, cited in the Office action as teaching such a feature, actually discloses a button that is operated when it is desired to record only the voice of the person speaking into the communication terminal apparatus, or, the immediate user of the communication terminal. According to Maeda, this button is activated to record the voice of the immediate user of the phone, and not the present vocal communication of both parties to the conversation. In contrast, the keybutton of the present invention is operated to record the contents of present vocal communication, or, in other words, the voices of both parties to the conversation.

Further with regard to the rejection of claim 7 under 35 U.S.C. §103(a) as being unpatentable over Kenmochi in view of Maeda, applicants respectfully submit that the combination of references also fails to teach a light emitting element that comes to illuminate or blink on the start of the voice memo operation. Applicants respectfully submit that neither of the cited references teaches nor suggests the visual notification of surrounding parties that the terminal is in use, and that such a feature is not well-known in the art.

Further with regard to the rejection of claim 7 under 35 U.S.C. §103(a) as being unpatentable over Kenmochi in view of Maeda, applicants respectfully submit that the references lack sufficient motivation therein to justify their combination. Merely listing an advantage of the combination is not sufficient to establish a prima facie case of obviousness, as some rationale for combining the references must be found in the references, or drawn from a convincing line of reasoning based on established scientific principles that some advantage or beneficial result would be produced by the combination (MPEP §2144). Such motivation cannot be found in the application itself, as such hindsight is impermissible; the facts must be gleaned from the prior art. (MPEP §2142, last paragraph). Stating that it is advantageous to have a portable terminal with the features of Kenmochi and Maeda is not sufficient to establish a prima facie case of obviousness. Accordingly, applicants respectfully submit that claim 7 is patentable over of Kenmochi in view of Maeda.

Appl. No. 09/696,358
Amdt. Dated July 23, 2003
Reply to Office action of April 24, 2003

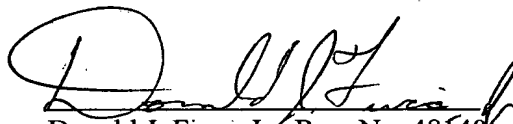
The remaining claims are allowable for the limitations set forth therein, and for the limitations of the claims from which they depend.

In light of the foregoing, it is respectfully submitted that the present application is in a condition for allowance and notice to that effect is hereby requested. If it is determined that the application is not in a condition for allowance, the Examiner is invited to initiate a telephone interview with the undersigned attorney to expedite prosecution of the present application.

If there are any additional fees resulting from this communication, please charge same to our Deposit Account No. 16-0820, our Order No. 33082.

Respectfully submitted,
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Date: July 23, 2003

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FIG.3A

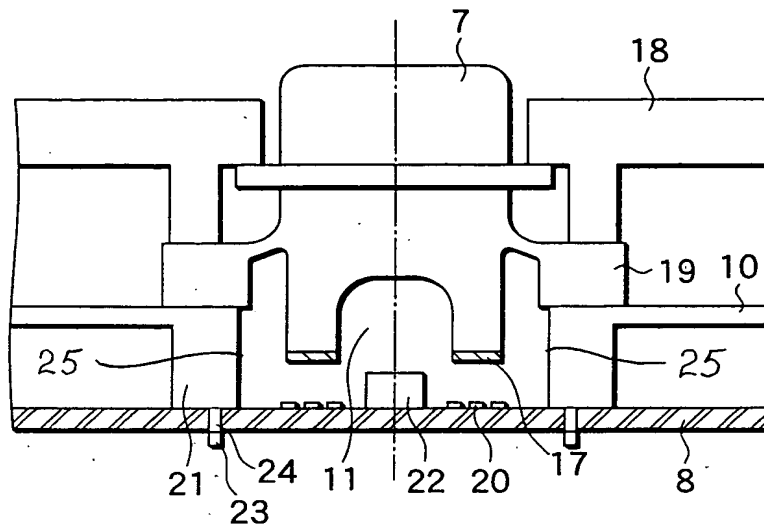


FIG.3B

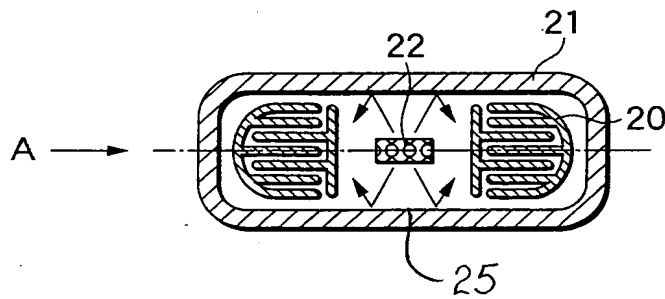


FIG.3C

